

**Board of Supervisors Hearing Date: December 16, 2008**  
**Case Summary: Project No. R2006-03771-(2)**  
**(Zone Change No. 200600013-(2), Conditional Use Permit No. 200600326-(2))**  
**Project Applicant: ConocoPhillips Company**

**RPC Hearing Date: September 24, 2008**

### **Synopsis**

The applicant, ConocoPhillips Company, requests a conditional use permit and zone change from M-1.5 (Restricted Heavy Manufacturing) to M-2-DP (Heavy Manufacturing-Development Program) to allow the continued operation and maintenance of an existing facility for the storage and distribution of gasoline, diesel, ethanol, and distillate products with appropriate zoning.

To ensure that the subject property continues as it exists today without any material changes, Regional Planning Commission recommends that the zone change be limited by a Development Program. The Development Program would limit the use of the subject property to the facility as it is developed today.

The project site is an 11.9-acre lot within the Athens Zoned District. The facility was established in 1950's prior to the current zoning designation and standards and has continued operations since then. The existing development became legal non-conforming in 1978 when the zoning code was amended to establish standards for the M-1.5 zone. The applicant is seeking a zone change to bring zoning into conformance with the existing use.

**Zone Change:** To authorize a change in zone from M-1.5 to M-2-DP on 11.9 acres.

**Conditional Use Permit:** To authorize the operation and maintenance of an existing facility for the storage and distribution of gasoline, diesel, ethanol, and distillate products.

### **Project Proponents**

- Proposed zone change and corresponding Conditional Use Permit would bring zoning into conformance with the existing facility.
- Allows for the continued operation and maintenance of the facility.

### **Project Opposition**

- One person spoke in opposition regarding ground contamination.